IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 11321 of 2007(W)

PETITIONER:

K.R.SUMA, AGED 28 YEARS,
W/O RAVI, CHOMMATTIL HOUSE, NARAYAMANGALAM,
NAYKULAM P.O., KODUNGALLOOR, THE M & H CONTRACTOR,
IBP AUTO SERVICES, EDAMUTTAM, THRISSUR DISTRICT.

BY ADV. SRI.MANOJ P.KUNJACHAN

RESPONDENTS:

1. IBP COMPANY LTD.,
REP.BY ITS SENIOR DIVISIONAL MANAGER,
OFFICE OF THE DIVISIONAL OFFICE,
A-2, CHAKOS CHAMBERS, 3RD FLOOR, 40/2353,
MKK NAIR ROAD, PALARIVATTOM, COCHIN- 682 025.

2. ASST. MANAGER (SALES),
IBP COMPANY LTD., OFFICE OF THE DIVISIONAL OFFICE,
A-2, CHAKOS CHAMBERS, 3RD FLOOR, 40/2353,
MKK.NAIR ROAD, PALARIVATTOM, COCHIN-682 025.

BY SHRI.GOPAKUMARAN NAIR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

==========

W.P.(C).No.11321 of 2007

==========

Dated this the 2nd day of April, 2007

J U D G M E N T

The petitioner is a Maintenance and Handling Contractor of the 1st respondent for a petroleum outlet of the 1st respondent company. Pursuant to an inspection conducted in the outlet on 12.1.2007, certain alleged irregularities were stated to have been detected by the 2nd respondent. Pursuant to the same, Ext.P2 show cause notice has been issued, which ultimately concluded in Ext.P7 order of termination of the petitioner's licence. The petitioner is challenging Ext.P7 order.

2. On a consideration of Exts.P2 and P7, I am not satisfied that the 1st respondent has considered the contentions of the petitioner satisfactorily and passed a speaking order. In the above circumstances, I am of opinion that the 1st respondent should reconsider the matter and pass a

speaking order dealing with each and every contention of the petitioner in this matter. The petitioner has filed Ext.P8 representation in this regard. Therefore, it is only appropriate that the 1st respondent considers Ext.P8 and passes a speaking order. Accordingly, there would be a direction to the 1st respondent to consider Ext.P8 and pass a speaking order dealing with each and every contention of the petitioner after affording an opportunity of being heard to the petitioner. It would be open to the petitioner to produce documents also in support of his contentions. Orders shall be passed within one month from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

sdk+ S.SIRI JAGAN, JUDGE